



## MEETING MINUTE SUMMARY

### MOUNTAINOUS PLANNING DISTRICT PLANNING COMMISSION MEETING

Thursday, September 2, 2021 4:00 p.m.

**\*\*Meeting minutes approved on October 7, 2021 with one amendment\*\***

**Approximate meeting length:** 2 hours 10 minutes

**Number of public in attendance:** 4

**Summary Prepared by:** Wendy Gurr

**Meeting Conducted by:** Commissioner Despain

**\*NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Planning & Development Services.

## ATTENDANCE

Commissioners	Public Mtg	Business Mtg	Absent
NEIL COHEN	x	x	
NICOLE OMER	x	x	
DON DESPAIN (VICE CHAIR)	x	x	
LAYNEE JONES (CHAIR)			x
JAMES PALMER			x
CHRISTIE HUTCHINGS			x
VICTORIA REID	x	x	
F BARTON REULING	x	x	

Planning Staff / DA	Public Mtg	Business Mtg
Wendy Gurr	x	x
Jake Young	x	x
Jim McNulty	x	x
Robert Thompson	x	x
Zach Shaw (DA)	x	x

## BUSINESS MEETING

**Meeting began at – 4:07 p.m.**

*Commissioner Despain read the Chair Opening Statement.*

- 1) Approval of the August 5, 2021 Planning Commission Meeting minutes. (Motion/Voting)

**Motion:** To approve the August 5, 2021 Planning Commission Meeting minutes as presented.

**Motion by:** Commissioner Cohen

**2<sup>nd</sup> by:** Commissioner Reid

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

- 2) Other Business Items. (As Needed)

*No other business items to discuss.*

## PUBLIC HEARING(S)

**Meeting began at – 4:10 p.m.**

**(Continued from May 6, June 3, and July 1, 2021)** - An ordinance amending the following sections of the Salt Lake County Code of Ordinances, 2001: 19.12.020 (permitted uses in the FR zone), 19.12.030(g)

(conditional uses in the FR zone), and 19.54.020 (permitted uses in the FA zone) to have uniform regulations in the FR and FA zones with regards to animal uses and their associated impacts on adjoining properties, the environment, and the well-being of animals; and making other related changes. **Presenter:** Zach Shaw (Motion/Voting)

The Planning Commission will act on the proposed ordinance amendments after taking comments from the public during their respective public hearings. Public comments will be provided pursuant to the planning commissions' rules of conduct. Public comments will be limited to three minutes per person. The public is also invited to review and inspect the proposed ordinances at <https://www.utah.gov/pmn/index.html> under the respective Planning Commissions' agendas.

*Greater Salt Lake Municipal Services District Planning Manager, Jim McNulty and County Counsel, Zach Shaw provided an analysis of the proposed ordinance.*

*Commissioner Reid asked if the 100' setback means where animals are housed or if animals can't go within the 100-foot setback. Mr. Shaw said 100 feet from where they are housed and added that there isn't a vegetation requirement.*

*Commissioner Cohen said boarding is complicated; there is boarding elsewhere in the county and asked which zones is boarding allowed. Mr. Shaw said commercial type zones. Commissioner Cohen asked if people in Hi-Country I and II want to have boarding and if County received complaints. Mr. Shaw said both complaints against and desire for boarding in public comments. Commissioner Reuling asked about an outfitters use. Mr. Shaw said outfitters are synonymous with trail riding business, which is already a commercial recreation use in FR Zone. Commissioner Reid asked if trailing riding and boarding horses a problem. Mr. Shaw said if they comply with horse limits, they could have multiple horses.*

*Commissioners, Staff, and Counsel had a brief discussion regarding boarding, commercial recreation, outfitting and trail riding, existing permits, FA zone four horse limit for personal use, and patchwork zoning. FA and FR can have more than four horses if they don't have water on property; if there is water on property, horses subject to setbacks. Carve out acreage on property for non-supporting use and carve out 100-foot setback. The following also discussed: protected watershed, FA permitted v. FR Conditional, Lawful existing improvements recognized, administrative reviews rather than planning commission review.*

*Bob Thompson said the watersheds on west side are impaired with e-coli. Commissioner Reid asked if the proposal makes easier for people to have horses and if there is enough protection of the water shed. Mr. Thompson said buffers are encouraged and native vegetation established and maintained without fencing. Commissioner Reid said should be stronger language, impaired waterways in state with scarce resource, should come up with vegetative buffers. Mr. Thompson said restoration vegetive efforts and swells can be funded with grant projects. Mr. Shaw said potential increase of horses that are not adjoining streams or streams running through, those that have streams have a maximum of four horses, onsite storage of manure prohibited.*

*Commissioner Cohen motioned to open the public hearing, Commissioner Omer seconded that motion.*

## **PUBLIC PORTION OF HEARING OPENED**

*Comments from the chat read into the record:*

*from Randy Crane to everyone: 4:30 PM*

*Hi. Again, this is confusing, as the conditional use, states - personal use only, no commercial. And in Hi-Country I it we have had situations with this... as people are coming and going in a residential area that are paying to use our roads and rent someone's horses on their property.*

*from Randy Crane to everyone: 4:32 PM*

*And if that is allowed... then will the - residential property - then be zoned commercial?*

*from Randy Crane to everyone: 4:38 PM*

*We do NOT want commercial! You are correct, we are - residential!*

*from Randy Crane to everyone: 4:41 PM*

*We've had a trail riding - business - in our HOA Phase I - with NO business license, and it's NOT been enforced.*

*from Randy Crane to everyone: 5:12 PM*

*I just rec. a text from Phase II - they do not want any commercial either. It creates more problem for all neighbors! We are residential. There are other areas in the valley that are commercial.*

*from Randy Crane to everyone: 5:14 PM*

*The trail riding - business - in Phase I - has a conditional use permit. Personal use, no commercial. But operating anyway.*

*from Randy Crane to everyone: 5:17 PM*

*I', 801-879-4806 I would Like to open up to talk. Thank you.*

**Speaker # 1: Citizen**

**Name:** Jean Crane

**Address:** 13682 South Mount Shaggy Drive

**Comments:** Ms. Crane said the issue to clarify is whether trail riding is a commercial recreation use. FR CUPs state no commercial use and personal only. Area should be residential uses only; she moved in because didn't want commercial, if allow commercial in residential then property should be zoned commercial, and neighbors should be able to weigh in if they want commercial or not. Adding fuel by proposing commercial, when you have business, and you are boarding your horses for hire. Allowed in FR under commercial recreation but need conditional use. Muddying the waters and would like clarified and not make worse. Now with discussion, angry neighbors are asking for help to step back and look at again because it is convoluted. This is a residential community, trail riding business is also boarding, and nothing is being done or enforced. How to move forward without enforcement.

*Commissioner Omer asked about trail riding and operating under commercial. Ms. Crane said sent proof to the county they were operating a business without a business license and received no response.*

*Commissioner Cohen motioned to recess for 10 minutes at 5:31pm.*

*Commissioner Reid motioned to resume at 5:47pm, Commissioner Reuling seconded that motion*

*Commissioner Omer motioned to close the public hearing, Commissioner Cohen seconded that motion.*

**PUBLIC PORTION OF HEARING CLOSED**

*Commissioners, Staff, and Counsel had a brief discussion on enforcement, trail riding, no-commercial use, commercial recreation use under FR zone, uses allowed on the properties, limits on commercial activity, eliminating commercial uses for all of Salt Lake County may affect other areas in FR zone, trail riding and commercial outfitters differences.*

*Four horses in FA zone per lot, regardless of size. FR set by planning commission after input from agencies. FR two per acre maximum unless water source. FR zone within water shed. Exclude portion of properties not used by the horses. Confirmed some areas in the canyons are in protected watershed.*

*Support revision of the ordinance as follows: FA stays the same as four horse maximum. FR is permitted use and # of horses/acre stays the same as proposed ordinance provides, 100-foot setback in FCOZ, exclude improved areas not supporting animals, manure management plan in both zones, approval process from water system or district and protected watershed language, streamline permitted process in both zones, exception to trail riding in FA zone and FR zone to allow any commercial recreation, trail riding would be conditional use. Horses for personal use permitted and trail riding conditional.*

**Motion:** To modify FR and FA zones as follows:

Keep current FA ordinance as is (including 4 maximum horses and no trail riding business), with the following additions:

1. 100' setback if stream present (including noncomplying structure exception—See proposed revision #2, *infra*.)
2. Manure Management Plan (See proposed revision #5)
3. Water Authority approval (See proposed revision #6)
4. Protected watershed clarification (See proposed revision #7)
5. Current permits recognized
6. Other provisions of draft ordinance that are not in conflict with 1-5 shall remain

Modify current FR ordinance as follows:

1. Horse/animal use a permitted (not conditional) use. Keep commercial recreation as a conditional use.
2. To add more objective criteria to the current ordinance, 2 horses per acre unless there is a stream present. Horses per acre excludes property not used for animal support and 100' setbacks (See proposed revision #4).
3. 100' setback if stream present (including noncomplying structure exception--See proposed revision #2).
4. Manure management plan (See proposed revision #5)
5. Water authority approval (See proposed revision #6)
6. Protected watershed clarification (See proposed revision #7)
7. Current permits recognized
8. Other provisions of draft ordinance that are not in conflict with 1-7 shall remain

Staff to draft ordinance reflective of these revisions and come back to the planning commission for final recommendation to the council.

**Motion by:** Commissioner Cohen

**2<sup>nd</sup> by:** Commissioner Reid

**Vote:** Commissioners voted unanimous in favor (of commissioners present)

*Commissioner Despain adjourned.*

**MEETING ADJOURNED**

**Time Adjourned – 6:32 p.m.**